

Charter
Ocean Research Advisory Panel

1. Committee's Official Designation: The Committee shall be known as the Ocean Research Advisory Panel (“the Panel”).
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 7903 and in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established this statutory Panel.
3. Objectives and Scope of Activities: The Panel shall provide independent scientific advice and recommendations to the National Ocean Research Leadership Council (“the Council”), as set out in paragraph four below. The Council operates as the National Ocean Council (NOC) as directed by Executive Order 13547. The NOC Deputy-level Committee (“the Committee”) has assumed the statutory responsibilities of the Council.
4. Description of Duties: The Panel shall:
 - a. Provide advice on policies and procedures to implement the National Oceanographic Partnership Program.
 - b. Provide advice on selection of partnership projects and allocation of funds for partnership projects for implementation under the program.
 - c. Provide advice on matters relating to national oceanographic data requirements.
 - d. Fulfill any additional responsibilities that the Committee considers appropriate.
5. Agency or Official to Whom the Committee Reports: Pursuant to 10 U.S.C. § 7903(b), the Panel shall report to the Committee.
6. Support: The Department of Defense (DoD), through the Office of the Secretary of the Navy and the Office of Naval Research, shall provide support for the Panel's performance and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) (“the Sunshine Act”), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$207,000.00. The estimated annual personnel costs to the DoD are 0.3 full-time equivalents.
8. Designated Federal Officer: The Panel’s Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, designated in accordance with established DoD policies and procedures.

The Panel’s DFO is required to be in attendance at all Panel and its subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the DFO, a properly approved Alternate DFO, duly designated to the Panel according to DoD policies and procedures, will attend the entire duration of all meetings of the Panel or its subcommittees.

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The DFO or the Alternate DFO, will call all of the Panel and its subcommittees meetings; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Panel shall meet at the call of the Panel's DFO, in consultation with the Panel's Chair. The estimated number of Panel meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Panel shall terminate upon rescission of 10 U.S.C. § 7903.
12. Membership and Designation: Pursuant to 10 U.S.C. § 7903(a), the Panel shall consist of not less than 10 and not more than 18 members, representing the following:
 - a. One member who will represent the National Academy of Sciences.
 - b. One member who will represent the National Academy of Engineering.
 - c. One member who will represent the Institute of Medicine.
 - d. Members selected from among individuals who will represent the views on ocean industries, State Governments, academia, and such other views as the Chairs of the Committee consider appropriate.
 - e. Members selected from individuals who are eminent in the fields of marine science, marine policy, or related fields.

The Chairs of the Committee shall appoint the Panel members. These appointments shall then be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the Secretary of the Navy for a term of service of one-to-four years, with annual renewals. Panel members who are not full-time or permanent part-time Federal officers or employees, shall be appointed to serve as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Those individuals who are full-time or permanent part-time Federal officers or employees shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) as regular government employee (RGE) members. No member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service on the Panel, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Consistent with Deputy Secretary of Defense policy, the Secretary of the Navy may appoint the Panel's Chair from among the membership previously appointed in accordance with DoD policies and procedures and, in doing so, shall determine the term of service for the Committee's Chair, which shall not exceed the member's approved term of service.

In addition, the Secretary of Defense or the Deputy Secretary of Defense may appoint non-voting consultants, with special expertise, to assist the Panel on an ad hoc basis. These those non-voting experts and consultants appointed by the Secretary of Defense or the Deputy

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Secretary of Defense shall not participate in the Panel's deliberations nor count toward the Panel's total membership.

All members of the Panel are appointed to provide advice on behalf of the Government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest

Except for reimbursement of official Panel-related travel and per diem, Panel members serve without compensation.

13. Subcommittees: The DoD, as necessary and consistent with the Panel's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Panel. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Navy, as the DoD Sponsor.

Such subcommittees shall not work independently of the Panel and shall report all their recommendations and advice solely to the Panel for full deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Panel. No subcommittee or any of its members can update or report, verbally or in writing, directly to the DoD or any Federal officers or employees. If a majority of Panel members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of FACA which govern the Panel's operations.

Pursuant to Secretary of Defense policy, the Secretary of the Navy is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Panel or another DoD advisory committee. If the Secretary of Defense or the Deputy Secretary of Defense has not previously authorized the appointment of the individual to the Panel or another DoD advisory committee, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the Secretary of the Navy.

Subcommittee members, with the approval of the Secretary of Defense, will be appointed for a term of service of one-to-four years, subject to annual renewals; however, no member shall serve more than two consecutive terms of service on the subcommittee. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will serve as RGE members pursuant to 41 C.F.R. § 102-3.130(a).

The Secretary of Defense authorizes the Secretary of the Navy to appoint the Chair of any appropriately approved subcommittees from among the subcommittee membership previously appointed in accordance with DoD policies and procedures and, in doing so, shall

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determine the term of service for the subcommittee Chair, which shall not exceed the subcommittee member's approved term of service.

Each subcommittee member is appointed to provide advice on behalf of the Government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

With the exception of reimbursement for travel and per diem as it pertains to official travel related to the Panel or its subcommittees, Panel subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

Currently, the DoD has not approved any permanent subcommittees to the Panel.

14. Recordkeeping: The records of the Panel and its subcommittees shall be managed in accordance with General Record Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, and the appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: April 22, 2016